

## **VERSION OF AMENDMENTS WITH MARKINGS TO SHOW CHANGES**

### **IN THE SPECIFICATION:**

The paragraph beginning on page 2, line 8 has been amended as follows:

Many multimedia presentations rely on the use of computers. The computer may access and display media content from a single source, or from a variety of sources such as multiple mass storage devices and the Internet. Where media content from a variety of sources is displayed, however, the computer typically relies on individual components or programs operating independently to display the media content, and does not provide for any integration of the applications. Therefore, the simultaneous presentation of content elements is not seamless, and is displayed in a non-integrated fashion. In order to make content from a variety of sources appear as though it was from a single multimedia application for more effective presentation, there is a need for a multimedia presentation engine for delivery of multimedia of varied content, wherein high-bandwidth media can be stored on local devices, and current and time-sensitive content can be stored remotely on an Internet server, and wherein the varied content can be pulled together as one seamless multimedia application. The present invention satisfies that need, as well as others, and overcomes the deficiencies found in conventional multimedia presentation systems and methods.

The paragraph beginning on page 3, line 7 has been amended as follows:

(a) the program stores media content for the subject matter to be presented in a database file, as well as stores references (also in the database) to the media files located on disk or on the Internet; and

The paragraph beginning on page 6, line 9 has been amended as follows:

As can be seen in FIG. 1A through FIG. 1J, the present invention includes an engine 10, seen in FIG. 1B, which is a computer program stored on a mass storage device such as a hard disk drive 12. An example of code for engine 10 is shown in the microfiche appendix submitted herewith. A content database 14 associated with engine 10 stores a plurality of records 16 containing media content for the subject matter to be presented, as well as [stores] pointers 18 to the locations of media files located on CD-ROM, hard disk or other form of mass storage device, or on the Internet. The records 16 are stored in the database in the form of HTML script which provides instructions for engine 10 to build and display pages and their content. When a particular HTML record is selected, engine 10 writes that record to a temporary file as depicted in FIG. 1C, or cache 20 which is instantly read by an interface program that displays the HTML in a main display normal width window 22a as shown in FIG. 1D, or the main display expanded width window 22b as shown in FIG. 1J. Images that are too large to comfortably fit either in the main display normal width window 22a or in the main display expanded width window 22b, can be stored in a database and displayed in a separate illustration window 24 in FIG. 1F. The HTML record can contain special hyperlinks 26 as depicted in FIG. 1D which load and display those illustrations in illustration window 24.

The paragraph beginning on page 7, line 13 has been amended as follows:

A button display 40, depicted in FIG. 1D and FIG. 1E, is also provided for accessing media that is referenced in the database 14 and instructor video 42,

narration 44 or demonstration 46 buttons would appear on button display 40 only when that media component is referenced in the database. Engine 10 determines component presence and file location, and then presents the component requested when the user clicks the corresponding button. For example, if available, the relevant video clips from the instructor video files 30 would be displayed in a video clip window 48 when requested by the user by clicking button 42. When instructor narration is available to complement the main topic, the appropriate button 44 appears and the relevant audio file from sound narration files 34 is played on a speaker 50 when button 44 is clicked by the user. If present, button 46 would be clicked by the user and the relevant video clips from the demonstration video files 32 would be displayed in a demonstration window 52, shown in FIG. 1H, to demonstrate a process being described in related text. Note that demonstration videos would be handled as a different media component than the instructor videos, and the engine of the present invention determines when the relevant component is required and then displays the appropriate video clips.

The paragraph beginning on page 8, line 7 has been amended as follows:

Referring again to control toolbar 40, a map screen button 54 as well as back 56a and forward 56b navigation buttons are also provided. By clicking on map screen button 54, the user will access a map window 58, shown in FIG. 1I, which displays the current position in the database index with a highlight. Map window 58 will allow a user to double-click on a topic to display that page in the main display. The list is presented in a hierarchical form, which can be expanded or collapsed to give the user an outlined

or detailed view of the content. Navigation buttons 56a, 56b all for sequential navigation in the map window for record to record movement. In addition, map window 58 includes a URL entry window 60 which allows entry of an internet URL to direct the main display to an on line Web page if a TCP/IP connection exists.

The paragraph beginning on page 8, line 17 has been amended as follows:

Referring also to FIG. 2, a graphical interface 62 is shown which integrates the individual windows described in FIG. 1. While the windows are generated as separate functions/entities in the software, they would not appear as separate windows in the graphical interface 62. Thus, it will be appreciated that the windows can be integrated on one interface as shown in FIG. 2 or as separate floating windows as shown in FIG. 1 without departing from the invention.

IN THE CLAIMS:

The claims have been amended as follows:

9. (twice amended) An apparatus as recited in claim 2:

wherein at least one of said multimedia content records includes at least one custom tag;

wherein said software engine is configured to read said custom tag;

wherein said custom tag instructs said engine to fetch a corresponding multimedia content record from said database;

wherein said software engine reads said multimedia content record; and

wherein [said] at least said portion of said content page is passed to an interface program for display.

## REMARKS

The Applicant expresses appreciation to the Examiner for the thorough examination of this case, as well as making this Office Action non-final. The Office Action has been carefully considered, and the Applicant believes that the case is now in a condition for allowance.

Therefore, reconsideration of this application is respectfully requested in view of the foregoing amendments and discussion presented herein. The Applicant also respectfully requests that the Examiner contact the Applicant's attorney by telephone if the next action on the merits will not be an allowance of all pending claims.

1. Rejection of Claims 1-6 and 20-23 under 35 U.S.C. §103(a).

Claims 1-6 and 20-23 were rejected under 35 U.S.C. §103 as being unpatentable over Milne et al. (U.S. No. 6,421,692). In support of the rejection of Claim 1, and with minor variation for Claims 2-6, the Examiner has indicated that "Milne discloses (a) database means for storing multimedia content records and associated references to media files for a multimedia presentation; and (b) software engine means, executable on a computer, for seamlessly accessing a content record in said database means along with the locating and displaying of associated media elements referred to in that content record."

The Applicant respectfully traverses the rejection because Milne et al. does not disclose the above elements and been misapplied to Applicant's invention, as has occurred similarly in the previous two office actions.

It is not surprising that the Milne device has few similarities with Applicant's invention, as the teachings of Milne et al. are drawn to a system that provides for the

routing of media streams between different presentation elements in a similar manner to the use of patch cables, and are not remotely similar to the concepts and objectives of Applicants claimed invention. One fundamental aspect of the Applicant's invention is the organization of multimedia content records in a database, for which there are no teachings at all within the Milne et al. reference.

The Applicant respectfully traverses the rejection in general because the cited reference: (i) does not teach, suggest or provide motivation or incentive for the subject matter of the rejected claims, and (ii) operates under different principles of operation and toward a different objective. The rejection follows a similar pattern as that previously traversed by the Applicant in response to the two previous Office Actions with regard to Katseff et al. (U.S. No. 5,822,537) and Logan et al. (U.S. No. 6,199,076) in the action of January 2002, along with Hoffert et al. (U.S. No. 5,903,892) and May et al. (U.S. No. 5,44,354) in the earlier office action of May 2001. Again, a rejection has been set forth based upon misapplied references.

It should be readily recognized that Milne et al. '692 teaches "A technique for providing routing of various multimedia events throughout the course of a multimedia presentation using a computer with a storage and a display", as outlined in the first sentence of the abstract. It should also be readily recognized that Milne et al. teaches a digital equivalent of audio patch cords for routing media streams, as seen from the prior art of FIG. 2 and the text of the specification, such as at Col. 8, lines 6-35:

*"In video and audio production studios, media such as sound, MIDI, and video make use of physical patch cords to route signals between sources, effects processors, and sinks. Signal processing algorithms are also often represented as networks of sources, sinks, and processors. Both of these models can be represented as directed graphs of objects that are connected. A preferred embodiment allows this model of connecting objects together to be realized on a computer system. FIG. 2 illustrates a*

*prior art, simple, home studio setup using a tape deck, mixer, reverberation unit, pair of microphones, and pair of speakers. Since the microphones are connected to the tape deck, sound input is routed from the microphone to the tape deck, where it can be recorded. When the tape deck plays back, its signal is routed to the mixer because of the connection from the tape deck to the mixer. Similarly, the reverberation unit and the speakers are connected an amplifier connected to the mixer.*

*A preferred embodiment uses object-oriented technology to represent a connection model. Multimedia objects can be connected to each other, creating directed data flow graphs. In addition, a standard set of multimedia objects is defined to the system. These objects can be connected together to facilitate multimedia data flow from object to object. The connection operations can be facilitated by connecting multimedia objects via a geometric figure such as a line, line segment or other appropriate geometry. The figures discussed below show examples of various multimedia objects, including connecting objects and the geometric figures that are used to represent the internal data structures and logic joining the multimedia objects."*

The sections of Milne et al. referred to in the rejection of Claims 1-6 do not provide any support for the rejection. For example, at Col. 1, lines 31-41, Milne et al. teach that:

*"Multimedia is perhaps the fastest growing application for computer systems. Increasingly, users are employing computers to present graphic, sound and imaging information to end users. Users are increasingly demanding ergonomic interfaces for managing multimedia presentations. In the past, a time matrix and programming language were used to implement a multimedia presentation. However, simulating a flexible mixing board to enable the presentation of music or sound with the display of information as a multimedia presentation unfolded was not possible."*

The concept of the invention again is clearly described as a computer equivalent of patch cables, such as to connect audio components to a computer mixing board. *In contrast*, the Applicant's invention utilizes a database with media content records and is drawn to "a multimedia delivery apparatus and method where media content from varied sources is accessed as a single seamless application" as found in the field of the invention.



A large portion of the material relied upon by the Examiner, from col. 5 through col. 8 of Milne et al., provides a background for utilizing object classes and sub-classes, such as found within the C++ programming language or similar OOPL (Object Oriented Programming Language) for real-time routing of media between components. The use of these classes and subclasses is then discussed starting at col. 8, line 36 as follows:

*"Classes for Routing*

*A time-based media component (hereafter referred to as a media component) base class (see FIG. 64) is a central abstraction used for routing. A media component has zero or more input ports and zero or more output ports. In FIG. 3, for example, the media component has a single input port 300 and two output ports 310 and 320. Ports 300, 310 and 320 are represented as filled triangles.*

*Subclasses of media components are connected together by connecting their ports. This processing is analogous to using patch cords to connect audio and video components together in a recording studio. In FIG. 4, a subclass of a media component, an audio player component object, is connected to another media component subclass, a speaker component object. The audio player has one output port and the speaker has one input port. Media components are controlled using member function calls. The audio player in FIG. 4, for example, has member functions for playing audio data. When the audio player's member function Play( ) is called, audio data will be fed from the audio player to the speaker, which will cause the audio to be heard on the computer's speaker. The speaker component does not have a Play( ) function because it plays whatever audio data is transmitted to it. Media components can be implemented completely in software. However, it is possible for a media component to represent a physical piece of hardware. For example, a speaker object can be employed to represent playback hardware of a computer. In this way, external media devices, such as video tape recorders, mixers, and effect processors, can be represented as media components and be connected together."*

The use of classes and sub-classes has no bearing on the concepts and implementation of the cited reference in relation to the claimed invention, as it just describes the paradigm followed for writing the code for the Milne et al. reference. It should be realized that at the level of microprocessor operation, these classes and sub-classes have been compiled and assembled to define the operation of subroutines which parse an input media stream, switch it or operate upon it, and render it as an

output stream. The use of a computer allows for reconfiguring the connections between ports and in some cases providing signal processing, such as simulating a mixer panel, within the devices connected to those ports.

The device of Milne et al. is not even operating on the same forms of multimedia as recited in the Applicant claims. It should be noted that Milne et al. is directed at operating on media streams and not media files as could be embedded within the records of a database as described by the Applicant. The media streams of Milne et al. are operated upon in real time by the media objects (software components) which route the streams and may perform real time processing thereupon. See Milne et al. at col. 9, lines 18-24 which reads:

*"Each port and port surrogate has a data type associated with it. Examples of types are MIDI data, 44 kHz 16-bit audio data, 22 kHz 8-bit audio data, and graphic data for video. When two ports are asked to connect, a type negotiation protocol insures that the ports are capable of supporting compatible data types. An exception is generated if the ports have no types in common."*

Milne et al. does not teach, suggest or provide motivation or incentive for the use of "database means", or "database" that contains "multimedia content records". It similarly lacks any teaching of a "software engine means", or "software engine" for seamlessly accessing those content records.

The rejection therein follows a curious logic, when the Examiner states:

*"Milne does not clearly disclose, 'software engine means executable on a computer for seamlessly accessing a content record.' However, Milne discloses software component and media components can be implemented completely in software (see fig...) Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made..."*

Such an assertion of obviousness, based on both devices being implemented in software, does not constitute the support required to make out a case of prima facie

obviousness per MPEP guidelines, as it is not in accord with the pending claim being examined and, furthermore, it would broadly negate patentability in relation to perhaps tens of thousands of issued patents that would thereafter need to be held as “invalid” subject to a rejection based on the teachings of Milne et al.

Turning to the use of database means within the teachings of the Applicant’s invention, it will be appreciated by one of ordinary skill in the art that a database comprises a collection of records, each record generally having a unique identifier (record number) that is often utilized as a key or index, and a series of recognizable fields which may be processed within that record. The fields may be delimited by position or by tag, such as by the use of custom tags as described within the application. Neither media stream, media file, nor even HTML document with embedded media pointers, can be considered to comprise records within a database. The record structure of Applicant’s database beneficially allows the multimedia engine to select elements of the embodied tutorial application, such as illustrated by the map screen in FIG. 11 and in FIG. 2, wherein the user can move the database index to any desired section within the database (see specification at page 8 lines 9-15). The database structure also allows for the retrieval of media content, or additional data records from the database, when driven by the software engine means.

The teachings of Milne et al., therefore, do not disclose either “(a) a database means for storing multimedia content records...”, or a “(b) software engine means, executable on a computer, for seamlessly accessing a content record in said database means...”. The reference does not teach aspects of Applicant’s invention and there exists no teaching, suggestion, motivation, or incentive that can be derived from the

cited reference to arrive at the Applicant's invention as recited in the pending claims. As no valid support for the rejection has been put forth by the Examiner, the Milne et al. reference has been shown to have been misapplied against the Applicant's pending claims.

The rejection suffers from numerous additional problems, as will now more specifically be discussed with respect to individual claims, such as different principle of operation utilized, solving a different problem, lack of specificity of suggestion to modify (none), elements in references are not equivalent, lack of specificity of modification or combination, useless combination, impossible to combine to arrive at applicant's invention, proposed combination renders reference unsuited for intended purpose, no need of elements within reference, no suggestion to modify, and no motivation to modify or to combine. It should be noted that failure in any one of these areas would be sufficient to overcome the rejection, whereby Applicant's response will be generally limited in the interests of saving space and time to the one or two most glaring of these deficiencies.

Claim 1: The assertion that Milne et al. discloses a "database means" and associated "software engine means" has been shown above to be an unsupported conclusion.

It is the burden of the PTO to establish a prima facie case of obviousness when rejecting claims under 35 U.S.C. §103. In view of the elements of Claim 1 not being found within the referenced subject matter, the invention as a whole would not have been obvious to one of ordinary skill according to the requirements of 35 U.S.C. §103 and as directed by the MPEP, wherein the rejection must be withdrawn.

Claims 2-6: The rejection of each of these claims follows that of Claim 1, copied and reworded according to each of Applicant's claims, and do not address the distinct elements of each independent claim. The rejection of each of these claims lacks support, and the rejection may be traversed following the same line of argument put forth for Claim 1 above.

Claims 20-23: These claims depend from independent Claims 1 - 4 respectively, and should therefore be considered *a fortiori* allowable based on the traversal of their respective independent claims. These four dependent claims are similarly worded to describe a distinctive aspect of the invention which the Applicant wishes to address.

These claims describe with greater particularity the seamless accessing of content records, which may include media content to be displayed. It should be appreciated that the term "displayed" is often utilized generically within the application to mean the displaying and/or playing of a media element by the software engine.

Specifically, "said seamless accessing of content records in said database does not rely on the execution of individual components of programs which operate independently to display the various media content while not providing for any integration of the applications". The software engine performs displaying/playing the media content and does not rely on employing a number of plug-ins or separate media player applications. By performing these operations within the software engine each form of media can be displayed spatially and temporally according to the directions given within the database record, such as within custom tags, so that various content is displayed in a manner coordinated in both time and space, generally referred to in the industry as "seamless".

These dependent claims further differentiate Applicant's invention over that of Milne et al. which teaches individual "software components" interconnected by the system of the invention (simulating cables). For example, Milne states at col. 10, line 40:

*"Like all media components, audio components are connected together by connecting their ports. This operation is facilitated by selecting an audio component port, extending a geometric figure, such as a line from the component port (being displayed) to another multimedia component port and creating a data structure commemorating the linkage represented graphically on the display."*

It will be recognized in this description, and others within the Milne et al. specification, that the components operating on the media elements within Milne are distributed, following their analogy of the connection of individual components. The media elements whose representations are being manipulated by the mouse are the audio component elements whose interconnectivity may be varied. In stark contrast to the teachings found in Milne et al. 692, Applicant's invention utilizes a single software engine for displaying all media elements in accord with the information contained within the database records.

Therefore, Milne et al., which is the primary reference cited by the Examiner, does not teach those aspects of the Applicant's claims which the Examiner asserted the reference teaches. As such, the Applicant respectfully submits that Milne et. al has been misapplied as a reference and the rejection of Claims 1-6, as well as the claims that depend therefrom, should be immediately withdrawn and the patent allowed to issue.

2. Rejection of Claims 7-19, and 24 under 35 U.S.C. §103(a).

The Examiner rejected Claims 7-19, and 24 as being unpatentable over Milne et

al. (U.S. No. 6,421,692) in view of the Slivka et al. (U.S. No. 6,061,695).

The Applicant has carefully reviewed the grounds for rejection and respectfully traverses the rejection as it has been misapplied.

Claim 7 - 18, 24: These are dependent claims and should therefore be considered *a fortiori* allowable in view of the allowability of the associated base claims

Claim 19: The Examiner indicates again that “Milne discloses a database containing multimedia content records and references to media files for a multimedia presentation; and a software engine, executable on a computer, said software engine seamlessly accessing a content record in said database and locating and displaying media elements referred to in that content record;...” and continues to recite all but one of the remaining elements of Applicant’s Claim 19 as being found in Milne et al.

The Examiner then combines Milne et al. with Slivka et al. in an attempt to supply the missing element “wherein said displayed content page contains at least one custom tag for further navigation”.

However, NONE of the above elements according to Applicant’s Claim 19 can be found in Milne et al. as generally described above in reference to Claim 1. Therefore even if the references were combinable, which they are not, the references still would not yield the invention, as the central elements of the invention, being the “database containing multimedia content records” and the “software engine configured to seamlessly accessing a content record in said database and locating and displaying media elements referred to in that content record”, are simply not taught by either of the cited references.

Furthermore, no teachings exist within the Slivka et al. for the use of a “custom tag”, as recited in the last limitation given in Claim 19 for providing extended functionality, such as custom multimedia database functions. The reference discloses the use of an HTML page as a mechanism for displaying the desktop associated with the Windows operating system. Teachings within Slivka et al. provide for custom views of the desktop, custom preprocessors, and the use of custom templates, but does not describe the use of “custom tags”, and specifically does not describe custom tags utilized within multimedia content records for controlling database operations of a software engine for accessing, locating, and displaying the multimedia content. Slivka et al. states at col. 3, lines 14-19:

*“The present invention provides multi-media content enhancements to the desktop of an operating system's graphical user interface. In one system according to the invention, an operating system shell synthesizes the display for the desktop into a hypertext multimedia document format (the HTML format, for example). The synthesized document includes the graphical icon oriented and menu driven user interface elements of the desktop, and also can include multi-media enhancements, such as text, graphics, sounds, animations, video, hypertext links, etc. These enhancements can add informative or explanatory content to the desktop, or otherwise customize the appearance and/or behavior of the desktop. The shell also acts as a hypertext multimedia document viewing software to display the synthesized document as the desktop in a graphical user interface, preferably as a full-screen background display to a windowing environment”.*

The use of mark-up language is generally conventional as taught by Slivka et al., however, the novel teaching of Slivka et al. involves utilizing a page of markup language to describe the desktop being represented by the operating system, which in this instance is embodied as Microsoft windows.

Aside from not describing custom tag use, or the use of multimedia database content records, the Slivka et al. reference is also mute in relation to describing the “database containing multimedia content records and references to media files for a



multimedia presentation; and a software engine, executable on a computer, said software engine seamlessly accessing a content record in said database and locating and displaying media elements referred to in that content record". As neither reference provides for the database containing content records" and other aspects recited in Applicant's Claim 19, the proposed combination could not produce applicants invention as described in the claim.

Still further problems exist with the support for the rejection, in that the teachings could not be combined without rendering the prior art unsatisfactory for its intended purpose and requiring that the principles of operation of both reference be changed. Note that MPEP 2143.01 indicates that "THE PROPOSED MODIFICATION CANNOT RENDER THE PRIOR ART UNSATISFACTORY FOR ITS INTENDED PURPOSE." MPEP 2143.01 indicates that "THE PROPOSED MODIFICATIONS CANNOT CHANGE THE PRINCIPLE OF OPERATION OF A REFERENCE."

The device of Milne et al. is a mechanism for routing of streaming media between audio, or video components executed in software, while the method of Slivka et al. provides for an alternative method for rendering a desktop display within an operating system. The mechanism of the combination has not been specified to indicate how the recited combination is to be carried out, another failing of the rejection support, however, it is obvious from the disparate purposes of these elements that their different purposes, concepts, types of data manipulated, control distribution, and so forth, could not be combined without rendering them unsatisfactory for their intended purpose and changing the operating principles therein.

The teachings of Milne et al. and Slivka, when combined, do not teach or provide any combined teachings that would render Applicant's claims *prima facie* obvious." It is respectfully requested that the rejection of Claim 19, and the claims which depend therefrom be withdrawn.

3. Rejection of Claims 25-32 under 35 U.S.C. §103(a).

The Examiner rejected Claims 25-32 as being unpatentable over Straub et. al. (U.S. No. 5,905,492).

After carefully reviewing the support for the rejection, the Applicant responds by traversing the rejection as follows:

Claim 25: The Examiner attempts to support the rejection based on the teachings of Straub et al., which describe a method of dynamically updating user interface themes associated with an operating system. However, the elements of Applicant's Claim 25 are not found within the teachings of Straub et al..

Straub et al. describes a method for periodically substituting one set of multimedia elements, such as icons, associated with a given OS theme with a replacement set of elements. This overall concept is apparent in the title "Dynamically Updating Themes for an Operating System Shell", and throughout Straub et al. The updating of the themes is described by Straub et al. in col. 2 lines 44-49 as follows:

*"These resources include substitute icons, mouse pointer graphics and animations, sounds, a wallpaper, and a screen saver. A particular theme can be selected and applied to the graphical user interface using a themes applet which the plus pack installs into the Windows.RTM. 95 control panel (an application program group which includes small application programs or applets that control various aspects of the operating system). Again however, the themes provide only limited multi-media content enhancements to the desktop. The applied theme can change the desktop's wallpaper, and the graphics of the my computer, network neighborhood and recycle bin icons."*

The desktop for the operating system comprises an HTML document in similar manner to that described by Slivka et al. '695, however, the ability to substitute the media elements from files or external sources has been provided to enhance functionality. It should, however, be readily apparent that Straub et al., in like manner to Slivka et al., does not provide "HTML record content within a database", such as within a "reader routine configured to access HTML". There is no mention whatsoever of the desktops themselves being subject to additional levels of indirection associated with being linked as records within a database.

The sections of the reference cited by the Examiner are mute on, or even teach away from, the claimed aspects of the Applicant's invention. For example, at col. 6 lines 45-58 Straub et al. teaches:

*"The resources of each theme 64 enhance the graphical user interface 60 of the computer's operating system by altering various sensory elements of the interface, such as the wallpaper, the mouse pointer, the icons, and the sounds presented in the interface. Although multiple themes can be locally stored in the computer 20, generally only one theme can be selected at a time to enhance the graphical user interface 60. Alternatively, the user may select components from multiple themes to enhance the graphical user interfaces, such as a color scheme, from one theme and mouse event sounds from another. The resources of a particular theme are applied to the graphical user interface by setting identifying information into a system registry or configuration file 66."*

(It should be noted that "altering" has been more definitively recited as "substituting" within Straub et al..)

It is readily apparent that the themes described do not comprise "records in said database (accessed) in response to a custom tag pointing to said database" as described by Applicant's Claim 25. The themes are individual, which allows elements of different themes to be selected for substitution to allow creation of the desired thematic desktop representation.

This is further seen at col. 8, lines 4-13 of Straub et al.:

*"In the illustrated software architecture 80, the locally stored resources 64 (FIG. 2) of each theme that is installed at the computer 20 (FIG. 2) are stored in separate theme folders 88 of the file system. The illustrated theme folder 88 is stored in the file system under the directory path name, "<root drive>:\.backslash.Program Files.backslash.Plus\backslash.Active Themes.backslash.<theme name>," where "<theme name>" is the name of the installed theme and "<root drive>" is a letter designating a selected logical data storage drive (typically a hard drive) on the computer".*

The themes are separate entities and NOT records within a database, and therefore the Straub et al. reference teaches away from one of the underlying principles of the present invention as reflected in Applicant's Claim 25 and similarly in the remaining claims of the invention.

Additionally, sections of Straub et al. which are cited by the Examiner for support of the rejection provide at best a cursory similarity to the Applicant's invention, such as the display of media content (i.e. icons, and interface sound element), within a page (i.e. represented by HTML markup language), or the collection of content using a link within a markup language rendered desktop.

There is also no mention of "a writing routine configured to write HTML text content of said HTML record content to a temporary cache file adapted for being read by an interface program for displaying said HTML text content in a display window" or for "a custom HTML tag processing routine configured to (i) locate records in said database in response to a custom tag pointing to said database, copy record content to a temporary cache file, and display HTML content of said temporary cache file inclusive of graphics and hyperlinks contained therein, (ii) locate and display images located within local storage devices within an illustration window in response to a custom tag directed at local storage resources, (iii) load and run media components according to a

custom tag from links or links within database records that may be located in a local storage media or over a network connection, and (iv) load web server-based content according to an additional custom tag; and wherein varied multimedia content from local and remote storage and content of additional database records may be accessed and displayed as one seamless multimedia application.”

It can be seen that the Straub et al. reference provides only a few cursory similarities to Applicant’s claimed invention, and does not operate with similar principles or describe even the most fundamental aspects of the Applicant’s invention. Therefore, applicant respectfully asserts that the rejection of Claim 25, and the claims which depend therefrom must be withdrawn.

Claim 29: The Examiner posits similar grounds for rejection of Claim 29 as set forth with regard to Claim 25. These grounds are fundamentally erroneous as described above, as the purpose, concepts, and fundamental underlying aspects described in Claim 29 are not found in the teachings of Straub et al.

It should be noted that even the preamble of Claim 29 recites that the method of the invention is provided “in response to the contents of a database”, which is indicative of the problems with the lack of support for the rejection based on Straub et al. The cited reference does not teach “accessing HTML record content within a database” which is a fundamental aspect of the invention. The additional elements of Claim 29 further compound the failing with the lack of support, such as “locating records in said database in response to a custom tag pointing to said database, copying record content to a temporary cache file, and displaying HTML content of said temporary cache file inclusive of graphics and hyperlinks contained therein”, as there is simply nothing within

Straub et al. whatsoever that can be construed to describe similar steps. Straub et al. simply does not describe a database, let alone the operations on that database described by the Applicant within the limitation of the claim.

In view of the above it is respectfully requested that the rejection of Claim 29, and the claims that depend therefrom, be withdrawn.

Claim 26-28, 30-32: These are dependent claims within the invention which should be considered *a fortiori* allowable in view of the allowability of their respective independent claims upon which they depend.

4. Amendment of Specification.

The Applicant has amended the specification to (1) correct typographical errors discovered while preparing this response, and (2) to add appropriate references for FIG. 1A - FIG. 1J to facilitate finding the diagrams matching portions of the specification. The amendments do not introduce new matter and serve only to correct and clarify the existing disclosure.

5. Amendment of Claim 9.

This claim was amended to correct a typographical error only, and not in response to any rejection or to address any substantive matter.

6. Addition of Claims 33-44.

The Applicant is presenting herewith new Claims 33-44 which, for the reasons discussed above, recite subject matter that is not taught by the cited references, nor for which the cited references do not provide any suggestion, motivation or incentive. The following is a brief description of each of these new claims.

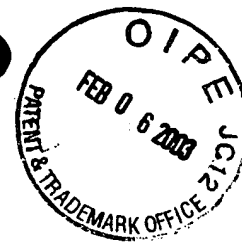
Claim 33. New Claim 33 depends from Claim 3 and provides additional details of seamless integration: “wherein said programming associated within said programmable data processor comprises a multimedia engine configured to locate and display all of the media elements referred to within a given content page record of said database file”. Support for this claim is found at page 3, line 11 of the specification.

Claim 34. New Claim 34 depends from Claim 33 and describes that a single multimedia engine provides for displaying media elements within one or more selected windows within said multimedia presentation. Support for the claim is found at page 3, lines 11-13, and page 15, lines 17-22.

Claim 35. New Claim 35 depends from Claim 34 and is drawn to the use of various windows by the multimedia engine: “wherein said multimedia engine is configured to display images within a main display normal width window or an expanded width window”. Support for which is found at page 15, lines 17-22.

Claim 36. New Claim 36 depends from Claim 35 and is drawn to a mode of the multimedia engine wherein it determines the placement of a image: “wherein said multimedia engine is configured to display images that are too large to comfortably fit either in said main display normal width window or in said main display expanded width window, can be stored in a database and displayed in a separate illustration window.” Support being found starting at page 6 line 20.

Claim 37. New Claim 37 is an independent claim drawn to the apparatus for providing multimedia tutorials, which is described utilizing the “database having multimedia content records”, and “software engine”. Support for which is seen in the figures, in particular FIG. 2, and described in the detailed description of the



embodiment, such as page 7 line 13 through to page 8 line 17.

Claim 38. New Claims 38 depends from Claim 37 and describes aspects of a reader portion within the software engine: “wherein said software engine includes a reader portion that locates and displays all of the media elements referred to in that record, wherein said software engine does not rely on individual components or programs operating independently to display said media content, wherein said media content comprises video, audio, animation, and images.” Support being found at page 2, lines 11-14, and page 3, lines 11-13.

Claim 39. New Claim 39 depends from Claim 37 and recite the typical forms of multimedia being accessed and “displayed” within the application as being “video, audio, animation, and images” as found within the specification page 3, line 12.

Claim 40-43. New Claims 40-42 depend from Claim 37 and describe aspects of the toolbar, specifically the controls, sequencing buttons, and a map control button which displays tutorial content in a hierarchical manner. Support for the claims is found in FIG. 1D - 1E and the specification at page 8, lines 9-16.

Claim 44. New Claim 44 depends from Claim 37 to describe the demonstration window displayed by the software engine. Support is found in FIG. 1H and in the specification at page 8, lines 1-10.

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7. Conclusion.

In view of the above, each of the presently pending claims in this application is believed to be in immediate condition for allowance. Accordingly, the Examiner is respectfully requested to withdraw the outstanding rejection of the claims and to pass this application to issue.

Date: 2/6/2003

Respectfully submitted,

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